

IN THE COUNTY COURT OF DESOTO COUNTY, MISSISSIPPI
(SPECIAL COURT OF EMINENT DOMAIN)

CITY OF HORN LAKE, MISSISSIPPI

PLAINTIFF

VS.

CIVIL ACTION NO. CO2004-1041

DIXIE CHICKEN, LLC and
BRANCH BANKING AND TRUST COMPANY

DEFENDANTS

LIS PENDENS NOTICE

TO THE CHANCERY CLERK OF DESOTO COUNTY:

You are hereby notified that the City of Horn Lake, Mississippi, is seeking to acquire by eminent domain and has this day filed a complaint in the above styled action to acquire fee ownership in the lands described in Exhibit "A" attached hereto and incorporated herein.

The interested parties are:

Dixie Chicken, LLC
2405 W. Broad Street
Athens, Georgia 30606

Branch Banking and Trust Company
200 W. 2nd Street
Winston-Salem, North Carolina 27101.


You are further requested to include this Notice and Exhibit "A" hereof in the Lis Pendens records of said County as provided by law.

DATED, this the 6th day of October, 2004.

STATE MS.-DESOTO CO
OCT 8 11 12 AM '04
PG 550
CH. CLK.

CITY OF HORN LAKE, MISSISSIPPI

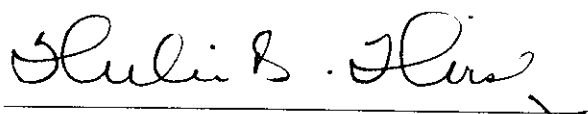
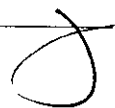
HOLCOMB DUNBAR
A Professional Association
728 Goodman Road East
Post Office Box 190
Southaven, Mississippi 38671
(662) 349-0664
(662) 349-2432 (fax)

By: 
William A. Baskin (MSB #2108) or
Billy C. Campbell, Jr. (MSB #10636)

STATE OF MISSISSIPPI
COUNTY OF DESOTO

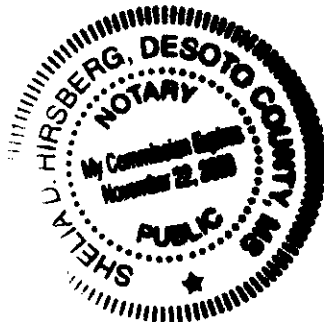
This day personally appeared before me, the undersigned authority in and for said County and State, the above named, Billy C. Campbell, Jr., who being by me first duly sworn, stated on his oath that the matters, facts and things contained in the above and foregoing Lis Pendens Notice are true and correct as therein stated.

Sworn to and subscribed before me, this the 6th day of OCT., 2004.


Notary Public 

My Commission Expires:

11-22-08



L 11 552

LEGAL DESCRIPTION
PARCEL 5

RIGHT OF WAY:

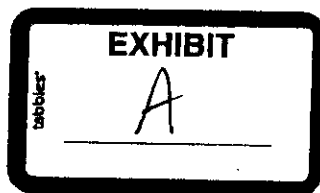
BEGINNING AT POINT NUMBER 1013 WHICH IS 52.00 FEET LEFT OF STATION 147+92.58; THENCE N 03°22'15" W A DISTANCE OF 41.77 FEET TO POINT NUMBER 1014 WHICH IS 52.00 FEET LEFT OF STATION 148+34.35; THENCE N 46°40'31" W A DISTANCE OF 42.98 FEET TO POINT NUMBER 1015 WHICH IS 81.48 FEET LEFT OF STATION 148+65.63; THENCE S 60°37'44" E A DISTANCE OF 37.25 FEET TO POINT NUMBER 1016 WHICH IS 50.15 FEET LEFT OF STATION 148+45.47; THENCE S 01°21'46" E A DISTANCE OF 52.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.0053 ACRES MORE OR LESS.

PERMANENT WALL EASEMENT:

BEGINNING AT POINT NUMBER 1042 WHICH IS 54.21 FEET LEFT OF STATION 147+29.53; THENCE S 88°16'06" W A DISTANCE OF 21.51 FEET TO POINT NUMBER 1043 WHICH IS 75.71 FEET LEFT OF STATION 147+30.14; THENCE N 01°43'50" W A DISTANCE OF 10.00 FEET TO POINT NUMBER 1044 WHICH IS 75.43 FEET LEFT OF STATION 147+40.14; THENCE N 88°16'06" E A DISTANCE OF 21.57 FEET TO POINT NUMBER 1045 WHICH IS 53.86 FEET LEFT OF STATION 147+39.52; THENCE S 01°21'29" E A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.005 ACRES MORE OR LESS.

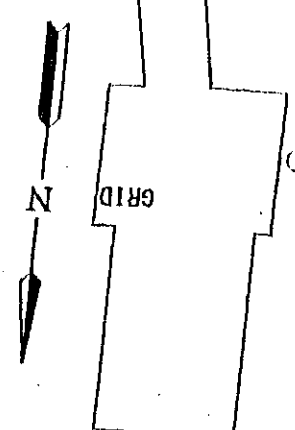
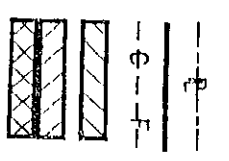
ALL POINT NUMBERS, BEARINGS, DISTANCES, AND STATIONS ARE FROM PBS&J'S RIGHT OF WAY OF PROPOSED INTERSTATE BOULEVARD IMPROVEMENTS PLANS.

TOGETHER WITH AN EASEMENT (0.064, ACRES, MORE OR LESS) FOR CONSTRUCTION OF SLOPES AND MAINTENANCE, AS SHOWN ON THE ABOVE REFERENCED DRAWINGS, A COPY OF A PORTION OF WHICH IS ATTACHED.

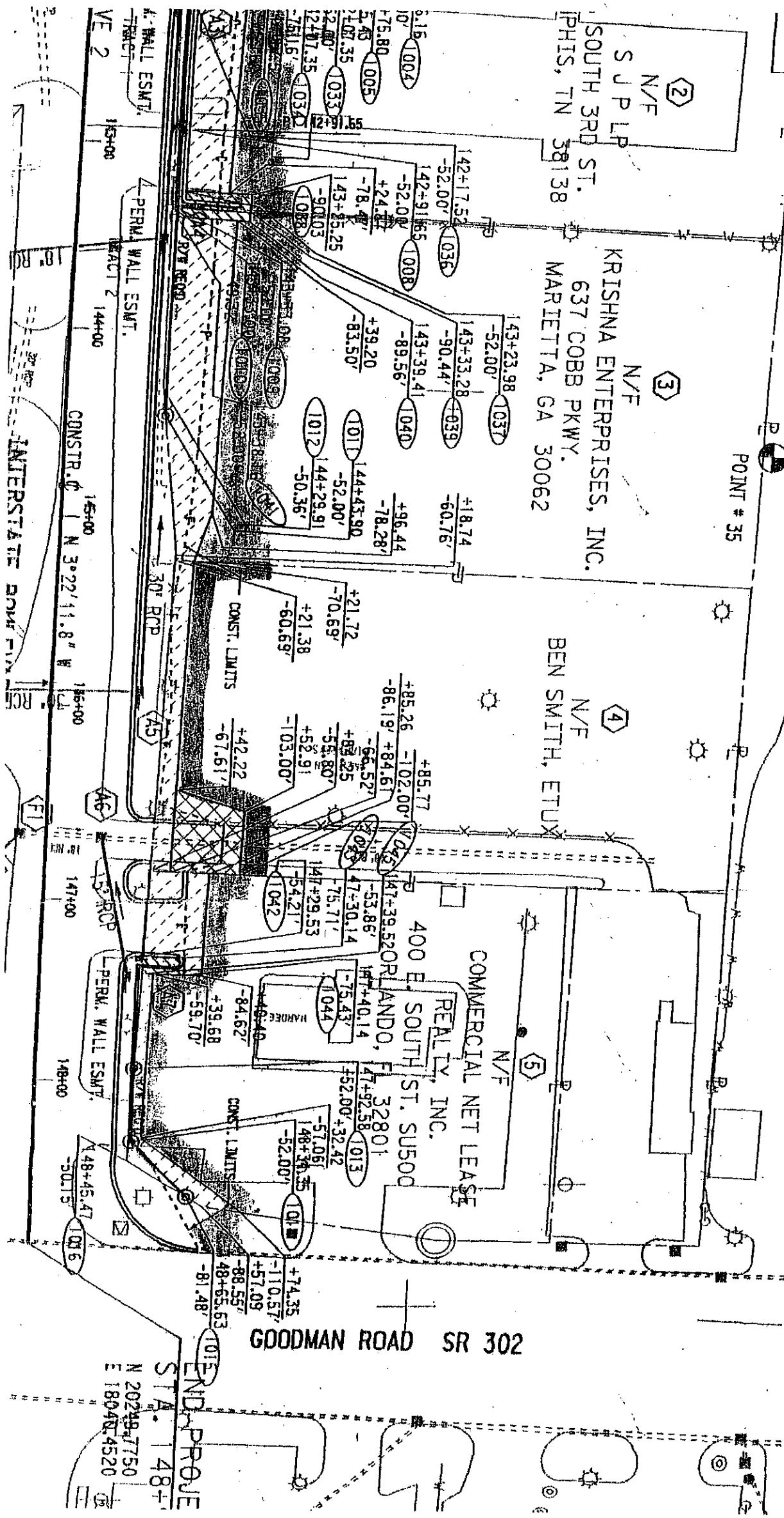


PG. 141
DB. 320
COMPANY
RIVER OIL

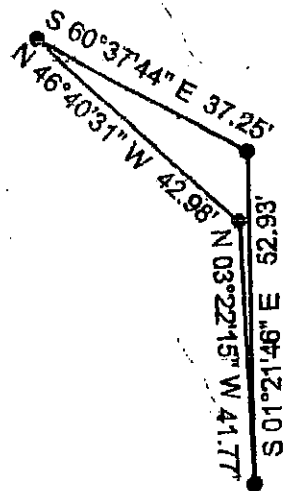
PROPERTY LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
PERM. EASEMENT FOR CONSTRUCTION
& MAINTENANCE OF SLOPES OR WALLS
EASEMENT FOR CONSTRUCTION OF SLOPES
EASEMENT FOR CONSTRUCTION OF DRIVES



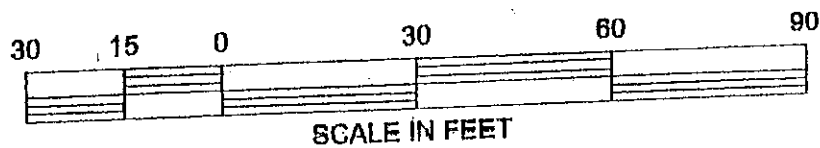
| STATE | PROJECT NO |
|-------|------------|
| MISS. | |



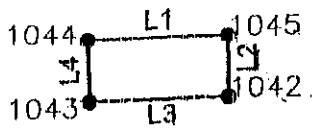
R.O.W. REQUIRED
PARCEL 5.



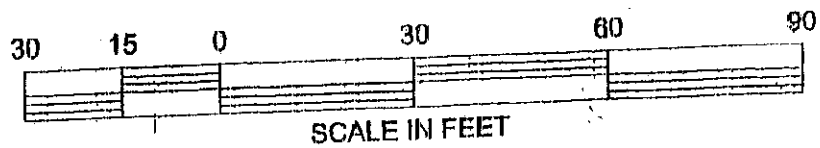
CONTAINING;
230.80 SQ. FT.
0.0053 ACRES±



PERMANENT WALL EASEMENT
PARCEL 5



CONTAINING;
215.41 SQ. FT.
0.0049 ACRES±



| NUMBER | DIRECTION | DISTANCE |
|--------|---------------|----------|
| L1 | N 88°16'06" E | 21.67' |
| L2 | S 01°21'29" E | 10.00' |
| L3 | S 88°16'06" W | 21.51' |
| L4 | N 01°43'50" W | 10.00' |

PREPARER'S STATEMENT AND INDEXING INSTRUCTION

TYPE OF INSTRUMENT:

Lis Pendens Notice

PREPARER'S NAME AND ADDRESS:

Billy C. Campbell, Jr.
Holcomb Dunbar, P.A.
Post Office Box 190
Southaven, MS 38671

662-349-0664

INDEXING INSTRUCTIONS:

Please index as a part of Lot 2, Interstate Commons Subdivision, First Revision,
as recorded in Plat Book 35 Page 11,

and if necessary, in the northwest quarter of Section 36,
Township 1 South, Range 8 West, DeSoto County, Mississippi.

TENDERED FOR RECORDING BY (PLEASE RETURN TO):

Billy C. Campbell, Jr.
Holcomb Dunbar, P.A.
Post Office Box 190
Southaven, MS 38671

662-349-0664